

AN ORDINANCE    **99826**

**AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING ("MOU") WITH THE SAN ANTONIO RIVER AUTHORITY ("SARA") FOR THE PERFORMANCE OF PROJECT MANAGEMENT RESPONSIBILITIES ON THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT ("SARIP") IN ACCORDANCE WITH THE CONDITIONS OUTLINED IN THE MOU; AUTHORIZING PAYMENT OF AN AMOUNT NOT TO EXCEED \$7,433,000.00 TO SARA FOR DESIGN AND CONSTRUCTION EXPENSES; AUTHORIZING THE FINAL DESIGN AND CONSTRUCTION OF THE MUSEUM REACH AND MISSION REACH OF THE SARIP; AND ESTABLISHING THE CITY'S FUNDING LIMITS TO SUPPORT MASTER PLANNING, PROJECT MANAGEMENT, PERMITTING, FINAL DESIGN, RIGHTS-OF-WAY ACQUISITION, DESIGN AND CONSTRUCTION DOCUMENTS, CONSTRUCTION AND CONSTRUCTION MANAGEMENT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Manager, Interim City Manager, Deputy City Manager, the Assistant City Manager, or an Assistant to the City Manager is hereby authorized to execute a Memorandum of Understanding with the San Antonio River Authority ("SARA") for the performance of project management responsibilities on the San Antonio River Improvements Project. The amount not to exceed \$7,433,000.00 to SARA for design and construction expenses is hereby authorized. A copy of the Memorandum of Understanding is affixed hereto as Attachment I, and incorporated herein verbatim for all purposes.

**SECTION 2.** The following financial adjustments are hereby authorized to effect this Ordinance:

- a.) The amount of \$633,000.00 is appropriated in Fund No. 45-952000, 1999 Flood Control & Park Improvements, Sold In 2001, in Index Code 940965, entitled "Trf to 48-099871". The amount of \$633,000.00 is authorized to be transferred from fund 45-952000 to fund 48-099871.
- b.) The budget in Fund No. 48-099871, Municipal Drainage Capital Projects, shall be revised by increasing Index Code 148932, entitled "Trf Fr 45-952000", by the amount of \$633,000.00.
- c.) The amount of \$1,767,000.00 is appropriated in Fund No. 48-000006, Municipal Drainage Utility System Revenue Bonds, 2003, in Index Code

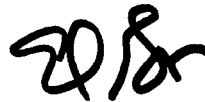
940973, entitled Trf to 48-099871. The amount of \$1,767,000.00 is authorized to be transferred from fund 48-000006 to fund 48-099871.

- d.) The budget in Fund No. 48-099871, Municipal Drainage Capital Projects, shall be revised by increasing Index Code 148940, entitled "Trf Fr 48-000006", by the amount of \$1,767,000.00.
- e.) The amount of \$3,000,000.00 is appropriated in Fund No. 43-504001, Certificates of Obligation 2004, San Antonio River Improvements, in Index Code 940981, entitled Trf to 48-099871. The amount of \$3,000,000.00 is authorized to be transferred from fund 43-504001 to fund 48-099871.
- f.) The budget in Fund No. 48-099871, Municipal Drainage Capital Projects, shall be revised by increasing Index Code 148957, entitled "Trf Fr 43-504001", by the amount of \$3,000,000.00.
- g.) The amount of \$5,400,000.00 is appropriated in Fund No. 48-099871, Municipal Drainage Capital Projects, in Index Code 563155, entitled "Project Management-San Antonio River Authority" and is authorized to be encumbered and made payable to the **San Antonio River Authority** in connection with the San Antonio River Improvements Project.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

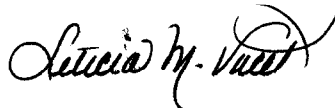
**SECTION 4.** This ordinance shall take effect on the 10th day of October, 2004.

**PASSED AND APPROVED** this 30th day of September, 2004



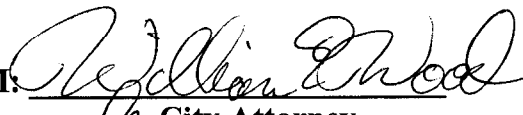
M A Y O R  
EDWARD D. GARZA

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

# Agenda Voting Results

**Name:** 35. ' 998 26

**Date:** 09/30/04

**Time:** 04:12:25 PM

**Vote Type:** Multiple selection

**Description:** An Ordinance authorizing the execution of a Memorandum of Understanding ("MOU") with the San Antonio River Authority ("SARA") for the performance of project management responsibilities on the San Antonio River Improvements Project ("SARIP") in accordance with the conditions outlined in the MOU; authorizing payment of an amount not to exceed \$7,433,000.00 to SARA for design and construction expenses; authorizing the final design and construction of the Museum Reach and Mission Reach of the SARIP; and establishing the City's funding limits to support master planning, project management, permitting, final design, rights-of-way acquisition, design and construction documents, construction and construction management; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

**Notes:** Motioned: RICHARD PEREZ    Seconded: ART A. HALL    Notes:

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present	x		
JOEL WILLIAMS	DISTRICT 2				
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		